

**IN THE UNITED STATES DISTRICT COURT
FOR EASTERN DISTRICT OF PENNSYLVANIA**

THE MIDDLE EAST FORUM	:	CIVIL ACTION
	:	
	:	NO. 2:19-cv-05697-JS
Plaintiff,	:	
v.	:	
	:	
LISA REYNOLDS-BARBOUNIS	:	
	:	
Defendant.	:	
	:	

DECLARATION OF SETH CARSON

I Seth Carson do hereby make OATH and say at follows:

1. My name is Seth Carson.
2. Today is November 30, 2021.
3. On November 1, 2021, the Court issued an Order that attorney for Defendant, Seth Carson “check the dockets” of all the third-party vendors identified by Middle East Forum.
4. The third-party vendors that Middle East Forum identified are (1) CourtDrive, (2) DocketAlarm, (3) CourtAlert, (4) Lexis CourtLink, (5) Westlaw Dockets, (6) Bloomberg Litigation, (7) Intelligence Center, (8) Courthouse News, (9) Docket Navigator, (10) FastCase, (11) Justia, (12) Law360, (13) LexMachina, (14) Docket Bird, and (15) Pacer Pro.
5. Through an comprehensive search of the above websites, and through communications with counsel for Plaintiff, Middle East Forum, it has been concluded that the document in question, which is Document 108-1, filed on October 1, 2021, into Case Number 2:19-cv-05697-JS, is not available through any of the 15 websites identified by Plaintiff.
6. There are 2 websites where Document 108-1 was available after it was removed from the federal docket. Those 2 websites were Docket Bird and Pacer Pro.
7. The document was removed from Pacer Pro and a review of the Pacer Pro platform confirms that the document is not available through Pacer Pro. Moreover, counsel for Plaintiff confirmed on October 31, 2021, that Document 108-1 was removed from Pacer Pro. Counsel

for Plaintiff confirmed this during the call with the Court on November 1, 2021. A subsequent search of the Pacer Pro platform confirmed that Document 108-1 is no available through Pacer Pro.

8. The document was confirmed removed from Docket Bird 3 times on October 31, 2021, November 2, 2021, and November 5, 2021. I continued my attempts to have it removed after the first notice from Docket Bird was sent on October 31, 2021, because Plaintiff represented that they could still access Document 108-1 through the Docket Bird platform.
9. The November 5, 2021, notice from Docket Bird was sent by an individual claiming to be Docket Bird's CEO. Docket Bird's CEO confirmed that the document was removed immediately and on November 5, 2021, Docket Bird's CEO confirmed that he could not access Document 108-1 through the Docket Bird platform. A subsequent search of the Docket Bird platform confirmed that Document 108-1 was not accessible through the Docket Bird platform.
10. I contacted Plaintiff with this information, that Document 108-1 was not available through the Docket Bird platform. Since then, Plaintiff has not claimed that the document is still available through the Docket Bird platform.
11. I have sent several additional emails to Docket Bird asking them to confirm that there are no retained copies of Document 108-1, however, Docket Bird has not responded. I would suggest that there is no reason to think that the document was saved in any format because of the manner in which the document is available today. It is only available through a link to the Pacer system.
12. **CourtDrive** - I tried setting up a demo with Court Drive several times. There is no way to use this site without setting up an account. There is no way to set up an account without talking to a sale person. Accordingly, I had to schedule a time with a Court Drive sales representative to tour the Court Drive platform. I was able to successfully do this and I have confirmed that Document 108-1 is not available on the Court Drive system. Moreover, I confirmed that no copies of the document were downloaded or saved on the Court Drive system. This is because Court Drive only keeps copies of documents that have already been downloaded. I was the first person, during the fee tour, to download Document 108-1. Only the redacted version of the document was downloaded, by me, during the free tour.
13. **DocketAlarm** – Document 108-1 is not on this platform. I set up an account and I have checked several times. I have also asked other people I work with to double check my conclusions. This site only has an updated and redacted version of the document (108-1). Moreover, this site only links to the federal docket so it does not appear that any copies of documents are maintained on this platform.
14. **CourtAlert** - Document 108-1 is not on this platform. I set up an account and I have checked several times. I have also asked other people I work with to double check my conclusions. This site only has an updated and redacted version of the document (108-1).

Moreover, this site only links to the federal docket so it does not appear that any copies of documents are maintained on this platform.

15. **Lexis CourtLink** - I do not have a Lexis account and I do not know how to get one. I have called customer support several times, but I do not yet have an account. I have been left on hold and then sent to an answering machine several times. I have confirmed that Document 108-1 is not available through the Lexis search platform.
16. **Westlaw Dockets** – Westlaw is the platform that Derek Smith Law Group uses. I have searched for Document 108-1 through the Westlaw platform and I was unable to locate Document 108-1 in any format through Westlaw.
17. **Bloomberg Litigation** – In order to confirm that Document 108-1 is not available through the Bloomberg platform, I had to schedule a time to talk directly with a sales representative. I also had to set of a free trial, which requires direct interaction with a sales representative. There is no way to set of a free trial of the Bloomberg platform without going through a sales representative. I was able to do this and I have confirmed that Document 108-1 is not available through the Bloomberg platform. The Bloomberg platform uses a system whereby any document that is downloaded by any person on the Bloomberg platform is available by everyone on the Bloomberg platform. I confirmed that no person every downloaded Document 108-1. Therefore, Bloomberg never had access to Document 108-1 in any format until I downloaded the redacted version of the document during the free tour of the platform. Bloomberg does not maintain any copies of the old version of the document that was removed.
18. **Intelligence Center** – There does not appear to be a platform called “Intelligence Center.” I believe this is a name that Bloomberg uses to describe their platform. Document 108-1 that was filed on October 1, 2021 was never downloaded to the Bloomberg platform.
19. **Courthouse News** - I cannot locate a copy of Document 108-1 on this website. I requested a free trial several times. They did not send me an email that confirmed any of my requests. When you call their number, it goes to a voicemail system that sounds like a cell phone. I have searched this platform several times and I can confirm that Document 108-1 does not appear to be listed on this platform in any capacity.
20. **Docket Navigator** – Document 108-1 does not appear on this platform. This platform only links to the federal docket and does not download copies of the documents that are on PACER. Accordingly, only the redacted version is available through this platform. This platform does not save or store documents and only links to PACER.
21. **FastCase** - I set up an account on this site. This site looks like Westlaw. I cannot find the document through this platform. After setting up an account and waiting a few days I was able to access the system in its entirety and the document is not on this website. Only the redacted version is available through this platform. This platform does not save or store documents and only links to PACER.

22. **Justia** - Justia is a website that links to the federal docket. To use Justia, you have to be a lawyer. Document 108-1 is not available through this platform. Only the redacted version is available through this platform. This platform does not save or store documents and only links to PACER.
23. **Law360** - I have checked this site a few times. The document is not on this site. Only the redacted version. Only the redacted version is available through this platform. This platform does not save or store documents and only links to PACER.
24. **LexMachina** - I have searched this website many times and Document 108-1 does not appear to be available through this platform in any capacity. After searching the website several times, I schedule an in-person (zoom) tour of the website to confirm that Document 108-1 is not available, and never was available through this platform. After meeting with a sales representative, I was able to confirm the above.
25. Pursuant to the Court's November 1, 2021, Order, I worked diligently every day to search all of the websites identified by Plaintiff and to confirm that no version of Document 108-1, that was filed on October 1, 2021, without redactions, was available through any of the sites.
26. I began searching these platforms immediately, even before the Court's November 1, Order.
27. I continued to search to the present and even after the November 15, 2021, deadline that the Court listed in the Order.
28. Through these searched I was unable to find any version of Document 108-1 that was filed, without redactions, on October 1, 2021. None of these platforms maintained a copy of the document.
29. The only two platforms that did temporarily maintain the original filing both have confirmed the document's removal.
30. Today, and since at least November 5, 2021, there are no versions of Document 108-1 available online, without redactions.
31. If Plaintiff requires any other confirmation, I am willing to do whatever is asked to confirm that no version of the document remains available anywhere.

I swear under penalty of perjury that the foregoing is accurate, true and correct.

Signature of Declarant: Seth Carson

Name of Declarant: Seth Carson

Date: November 30, 2021